

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Document #

5

ALI

-v-

USA

U.S.C.A. #

U.S.D.C. #

08-cv-2497

JUDGE:

KMW

DATE:

APRIL 11, 2008

INDEX TO THE RECORD ON APPEAL

PREPARED BY (NAME):

THOMAS R. PISARCZYK

FIRM:

U.S. DISTRICT COURT - SOUTHERN DISTRICT OF NEW YORK

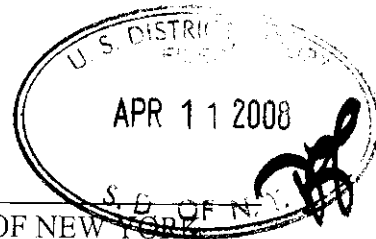
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DISTRICT COURT DOCKET ENTRIES

DOCUMENT DESCRIPTION

DOC. #

CLERK'S CERTIFICATE

SEE ATTACHED LIST OF NUMBERED DOCUMENTS

☒ Original Record

☐ Supplemental Record

The record in the above entitled case was indexed to the U.S.C.A.
for the Second Circuit on the **11th** Day of **April**, 2008.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ACI
-v-
USA

U.S.C.A. # _____
U.S.D.C. # 08-cv-2497
JUDGE: KMW
DATE: 4-11-2008

Clerk's Certificate

I, J. Michael McMahon, Clerk of the Court of the United States District Court for the Southern District of New York, do hereby certify that the certified copy of the docket entries and the original filed papers numbered 1 Through 4, inclusive, constitutes the Original record on appeal in the above entitled proceedings except for the following missing documents:

Date Filed

Document Description

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In Testimony Whereof, I have caused the seal of said Court to be hereunto affixed, at the City of New York, this 11th Day of April In this year of our Lord, Two Thousand and Eight, and the Independence of the United States this 232ND year.

J. Michael McMahon, Clerk

By _____

Deputy Clerk

APPEAL, CLOSED, HABEAS, MEMBER, PRO-SE

U.S. District Court
United States District Court for the Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:08-cv-02497-KMW
Internal Use Only

Ali v. United States of America
Assigned to: Judge Kimba M. Wood
Lead case: 1:08-cv-02472-KMW
Member case: (View Member Case)
Cause: 28:2254 Petition for Writ of Habeas Corpus (State)

Date Filed: 03/11/2008
Date Terminated: 03/11/2008
Jury Demand: None
Nature of Suit: 530 Habeas Corpus (General)
Jurisdiction: Federal Question

| Date Filed | # | Docket Text |
|------------|----------|--|
| 03/11/2008 | <u>1</u> | PETITION FOR WRIT OF HABEAS CORPUS pursuant to 28 U.S.C. 2254. Document filed by Taliv Ali. (laq) (Entered: 03/19/2008) |
| 03/11/2008 | | Magistrate Judge Michael H. Dolinger is so designated. (laq) (Entered: 03/19/2008) |
| 03/11/2008 | | CONSOLIDATED MEMBER CASE: Create association to 1:08-cv-02472-KMW. (laq) (Entered: 03/19/2008) |
| 03/11/2008 | <u>2</u> | DUPLICATE ORIGINAL - ORDER OF DISMISSAL. Petitioner is permitted to proceed without payment of fees and the Clerk of Court is directed to assign docket numbers to the four actions (1:08-cv-2472, 1:08-cv-2474, 1:08-cv-2475 & 1:08-cv-2497) which are consolidated solely for the purpose of this order. For the following reasons, the petitions are dismissed. Accordingly, petitioner's application, liberally construed as petitions for writs of habeas corpus under 28 U.S.C.2254, are dismissed. In addition, his claims, liberally construed as brought under 1983, are dismissed pursuant to 28 U.S.C.1915(e)(2)(B)(ii). As petitioner has not made a substantial showing of the denial of a constitutional right, a certificate of appealability will not issue. 28 U.S.C.2253. The Court certifies pursuant to 28 U.S.C. 1915(a) that any appeal from this order would not be taken in good faith. (Signed by Judge Kimba M. Wood on 3/11/08) (laq) (Entered: 03/19/2008) |
| 03/11/2008 | <u>3</u> | DUPLICATE ORIGINAL - JUDGMENT. Ordered, Adjudged and Decreed: That the petition is hereby dismissed.... a certificate of appealability will not issue.... We certify pursuant to 28 U.S.C. 1915(a) that any appeal from the Court's order would not be taken in good faith. (Signed by Judge Kimba M. Wood on 3/11/08) (laq) (Entered: 03/19/2008) |
| 03/28/2008 | <u>4</u> | NOTICE OF APPEAL from <u>2</u> Order Dismissing Petition, <u>3</u> Judgment - Sua Sponte (Petition). Document filed by Taliv Ali. Copies mailed to attorney(s) of record: A.U.S.A. (tp) (Entered: 04/11/2008) |
| 03/28/2008 | | Appeal Remark as to <u>4</u> Notice of Appeal filed by Taliv Ali. \$455.00 APPEAL FEE DUE. IFP REVOKED 3/11/08. (tp) (Entered: 04/11/2008) |
| 04/11/2008 | | Transmission of Notice of Appeal to the District Judge re: <u>4</u> Notice of Appeal. (tp) (Entered: 04/11/2008) |
| 04/11/2008 | | Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: <u>4</u> Notice of Appeal. (tp) (Entered: 04/11/2008) |